

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

Canaan X L.P., *et al.*,

Plaintiffs,

v.

MoneyLion Inc., *et al.*,

Defendants.

Case No. 1:23-cv-06550-PKC

**ORAL ARGUMENT  
REQUESTED**

**DEFENDANTS' NOTICE OF MOTION TO DISMISS COMPLAINT**

PLEASE TAKE NOTICE that, upon all prior pleadings and proceedings, and the accompanying Memorandum of Law, dated November 6, 2023, the annexed Declaration of Brian M. Burnovski, dated November 6, 2023 and the exhibits thereto, Defendants MoneyLion Inc., Diwakar Choubey, Richard Correia, Jeffrey Gary, Chris Sugden, Dwight Bush, John Chrystal, Lisa Gersh, Matt Derella, Annette Nazareth, and Michael Paull will move this Court, before the Honorable P. Kevin Castel at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, Courtroom 11D, New York, NY 10007, for an order dismissing Plaintiffs' Complaint (ECF No. 1) with prejudice pursuant to Federal Rule of Civil Procedure 12(b)(6), and for such other and further relief as this Court may deem just and proper.

Dated: New York, New York  
November 6, 2023

**DAVIS POLK & WARDWELL LLP**

By: /s/ Brian M. Burnovski  
Brian M. Burnovski

450 Lexington Avenue  
New York, New York 10017  
(212) 450-4000  
[brian.burnovski@davispolk.com](mailto:brian.burnovski@davispolk.com)  
[adam.greene@davispolk.com](mailto:adam.greene@davispolk.com)

*Attorneys for Defendants*